

MICHIGAN WATER RESOURCES COMMISSION
AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

US EPA RECORDS CENTER REGION 5



502564

In compliance with the provisions of the Federal Water Pollution Control Act, as amended, (33 U.S.C. 1251 et seq; the "Act"), and the Michigan Water Resources Commission Act, as amended, (Act 245, Public Acts of 1929, as amended, the "Michigan Act"),

KENT COUNTY DEPARTMENT OF PUBLIC WORKS
1500 Scribner Avenue, N.W.
Grand Rapids, Michigan 49504

is authorized to discharge from a facility located at

2908 Ten Mile Road, N.E.
Section 2 & 3, T8N, R11W, Plainfield Township

to receiving waters named unnamed tributaries to the Rogue River.

in accordance with effluent limitations, monitoring requirements and other conditions set forth in Parts I and II hereof.

This permit shall become effective on the date of issuance.

This permit and the authorization to discharge shall expire at midnight, April 30, 19 81. In order to receive authorization to discharge beyond the date of expiration, the permittee shall submit such information and forms as are required by the Michigan Water Resources Commission no later than 180 days prior to the date of expiration.

This permit is based on the company's application numbered MI 0037486, dated August 21, 1975, and shall supersede any and all Orders of Determination, Stipulation, or Final Orders of Determination previously adopted by the Michigan Water Resources Commission.

Issued this 28th day of June, 1976, for the Michigan Water Resources Commission.

Robert J. Courchaine
Acting Assistant Executive Secretary

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. Effluent Limitations for Dewatering Wells

During the period beginning upon the issuance of this permit and lasting until the expiration of this permit, the permittee is authorized to discharge groundwater from dewatering wells 001, 002, & 003 and other surface dewatering trenches or devices to the Rogue River via unnamed streams. Such discharge shall be limited and monitored by the permittee as specified below:

Effluent Characteristic	Discharge Limitations				Monitoring Requirements	
	kg/day (lbs/day)		Other Limitations		Measurement Frequency	Sample Type
	Daily Average	Daily Maximum	Daily Average	Daily Maximum		
Flow, M ³ /Day (MGD)					Daily	
BOD ₅				5 mg/l	Monthly	Grab
COD				40 mg/l	Monthly	Grab
Total Iron				2 mg/l	Monthly	Grab
Chlorides				50 mg/l	Monthly	Grab
Total Phosphorus (as P)				0.5 mg/l	Monthly	Grab
Nitrate-N				1.0 mg/l	Monthly	Grab
Ammonia-N				1.0 mg/l	Monthly	Grab

2. Effluent Limitations for Surface Streams

During the period beginning with the date of issuance of this permit and lasting until the expiration of this permit, the permittee is authorized to discharge natural runoff and dewatering wastewater from the landfill site to Rogue River via unnamed streams. Such discharge shall be limited and monitored by the permittee as specified below:

Effluent Characteristic	Discharge Limitations				Monitoring Requirements	
	kg/day (lbs/day)		Other Limitations		Measurement Frequency	Sample Type
	Daily Average	Daily Maximum	Daily Average	Daily Maximum		
BOD ₅					Monthly	Grab
COD					Monthly	Grab
Total Iron					Monthly	Grab
Chlorides					Monthly	Grab
Total Phosphorus (as P)					Monthly	Grab
Nitrate-N					Monthly	Grab
Ammonia-N					Monthly	Grab
Oil & Grease					Monthly	Visual Observation

a. The pH shall not be less than 7.0 nor greater than 9.0. The pH shall be monitored as follows: monthly-grab.

b. The discharge shall not cause excessive foam in the receiving waters. The discharge shall be essentially free of floating and settleable solids.

c. The discharge shall not contain oil or other substances in amounts sufficient to create a visible film or sheen on the receiving waters.

d. Samples taken in compliance with the monitoring requirements above shall be taken prior to discharge to natural drainage systems.

a. The pH shall not be less than 7.0 nor greater than 9.0. The pH shall be monitored as follows: monthly-grab.

b. The discharge shall not cause excessive foam in the receiving waters. The discharge shall be essentially free of floating and settleable solids.

c. The discharge shall not contain oil or other substances in amounts sufficient to create a visible film or sheen on the receiving waters.

d. Samples taken in compliance with the monitoring requirements above shall be taken on the upstream side of the culverts in 10 Mile Road receiving the surface drainage from the landfill site.

3. Leachate Control

- a. During the period beginning upon the issuance of this permit and lasting until its expiration, the permittee is authorized to utilize a leachate holding facility for the collection of leachate from the cells in the landfill. The permittee is further authorized to convey the leachate to an approved disposal system. The leachate holding facility and method of conveyance shall be constructed and operated in accordance with plans submitted to and approved by the Chief Engineer of the Water Resources Commission. The leachate collection shall be monitored by the permittee as specified below:

<u>PARAMETER</u>	<u>FREQUENCY</u>
Volume - gallons	Monthly
No. of cells utilized	Monthly

4. Monitoring Wells

The permittee prior to establishing the landfill shall install an approved system of ground water monitoring wells in conformance with specifications set forth by the Resource Recovery Division of the Department of Natural Resources and the approval by the Chief Engineer of the Water Resources Commission. Such wells shall be operated and maintained to demonstrate continued containment of leachate. The wells shall be sampled at the frequency and for the parameters set forth below and reports shall be submitted to the Chief Engineer of the Water Resources Commission (on forms provided) by the tenth of the month following the reporting period.

<u>PARAMETER</u>	<u>FREQUENCY</u>	<u>SAMPLE TYPE</u>
COD	Monthly	Grab
Chlorides	Monthly	Grab
pH	Monthly	Grab
Total Iron	Monthly	Grab
Total Dissolved Solids	Monthly	Grab
Static water level	Monthly	Reduced to USGS Datum

5. As a condition of this permit the permittee must obtain a Soil Erosion and Sedimentation Control Permit under P.A. 347 of 1972.

PART I

B. MONITORING AND REPORTING

1. Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge.

2. Reporting

The permittee shall submit monitoring reports containing results obtained during the previous month and shall be postmarked no later than the 10th day of the month following each completed report period. The first report shall be submitted within 90 days of the date of issuance of this permit.

3. Definitions

a. The daily average discharge is defined as the total discharge by weight, or concentration if specified, during a calendar month divided by the number of days in the month that the production or commercial facility was operating.

b. The daily maximum discharge means the total discharge by weight, or concentration if specified, during any calendar day.

c. The Regional Administrator is defined as the Region V Administrator, U.S. EPA, located at 230 South Dearborn, 13th Floor, Chicago, Illinois 60604.

d. The Michigan Water Resources Commission is located in the Stevens T. Mason Building. The mailing address is Box 30020, Lansing, Michigan, 48909.

4. Test Procedures

Test procedures for the analysis of pollutants shall conform to regulations published pursuant to Section 304(g) of the Act, under which such procedures may be required.

5. Recording of Results

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

- The exact place, date, and time of sampling;
- The dates the analyses were performed;
- The person(s) who performed the analyses;
- The analytical techniques or methods used; and
- The results of all required analyses.

6. Additional Monitoring by Permittee

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified above, the results of such monitoring shall be included in the calculation and reporting of the values required in the Monthly Operating Report. Such increased frequency shall also be indicated.

7. Records Retention

All records and information resulting from the monitoring activities required by this permit including all records of analyses performed and calibration and maintenance of instrumentation and recordings from continuous monitoring instrumentation shall be retained for a minimum of three (3) years, or longer if requested by the Regional Administrator or the Michigan Water Resources Commission.

C. SCHEDULE OF COMPLIANCE

1. The permittee shall achieve compliance with the effluent limitations specified for outfall(s) 001, 002 & 003 and other dewatering devices or facilities in accordance with the following schedule:

- a. Submit progress report to the Chief Engineer of the Michigan Water Resources Commission on or before 11/A.
- b. Submit a preliminary engineering report and basis of design for said facilities to the Chief Engineer of the Michigan Water Resources Commission and obtain his approval thereof on or before 11/A.
- c. Submit progress report to the Chief Engineer of the Michigan Water Resources Commission on or before N/A.
- d. Submit final plans and specifications for said facilities to the Chief Engineer of the Michigan Water Resources Commission and obtain his approval thereof before start of construction.
- e. Notify the Chief Engineer of the Water Resources Commission in writing when construction starts.
- f. Upon completion of construction certify in writing to the Chief Engineer that the wastewater control facilities are completed in accordance with approved plans.
- g. Attain operational level necessary to meet the limitations specified herein on or before initiation of operation as a landfill.

2. The permittee shall comply with the requirements of Section 9, Part II in accordance with the following:

- a. Submit plans for approval to the Chief Engineer of the Michigan Water Resources Commission necessary to comply with the primary power provision of Section 9 in Part II on or before 11/A.
- b. The permittee shall comply with the requirements of items 9a or 9b contained in Part II on or before 11/A.
Notwithstanding the preceding sentence the permittee shall at all times halt, reduce, or otherwise control production in order to protect the waters of the State of Michigan upon the reduction or loss of the primary source of power.

3. No later than 14 calendar days following a date identified in the above schedule of compliance, the permittee shall submit either a report of progress or, in the case of specific actions being required by identified dates, a written notice of compliance or noncompliance. In the latter case, the notice shall include the cause of noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirement.

PART II

A. MANAGEMENT REQUIREMENTS

1. Change in Discharge

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit more frequently than or at a level in excess of that authorized shall constitute a violation of the permit. Any anticipated facility expansions, production increases, or process modifications which will result in new, different, or increased discharges of pollutants must be reported by submission of a new NPDES application or, if such changes will not violate the effluent limitations specified in this permit, by notice to the permit issuing authority of such changes. Following such notice, the permit may be modified to specify and limit any pollutants not previously limited.

2. Containment Facilities

The permittee shall provide approved facilities for containment of any accidental losses of concentrated solutions, acids, alkalies, salts, oils, or other polluting materials in accordance with the requirements of the Michigan Water Resources Commission Rules, Part 5.

3. Operator Certification

The permittee shall have the waste treatment facilities under the direct supervision of an operator certified by the Michigan Water Resources Commission, as required by Section 6a of the Michigan Act.

4. Noncompliance Notification

If, for any reason, the permittee does not comply with or will be unable to comply with any daily maximum effluent limitation specified in this permit, the permittee shall provide the Regional Administrator and the State with the following information, in writing, within five (5) days of becoming aware of such condition:

- a. A description of the discharge and cause of noncompliance; and
- b. The period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate and prevent recurrence of the noncomplying discharge.

5. Facilities Operation

The permittee shall at all times maintain in good working order and operate as efficiently as possible, all treatment or control facilities or systems installed or used by the permittee to achieve compliance with the terms and conditions of this permit.

6. Adverse Impact

The permittee shall take all reasonable steps to minimize any adverse impact to navigable waters resulting from noncompliance with any effluent limitations specified in this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

7. By-passing

Any diversion from or by-pass of facilities necessary to maintain compliance with the terms and conditions of this permit is prohibited, except (i) where unavoidable to prevent loss of life or severe property damage, or (ii) where excessive storm drainage or runoff would damage any facilities necessary for compliance with the effluent limitations and prohibitions of this permit. The permittee shall promptly notify the Michigan Water Resources Commission and the Regional Administrator, in writing, of such diversion or by-pass.

8. Removed Substances

Solids, sludges, filter backwash, or other pollutants removed from or resulting from treatment or control of wastewaters shall be disposed of in a manner such as to prevent any pollutant from such materials from entering navigable waters.

9. Power Failures

In order to maintain compliance with the effluent limitations and prohibitions of this permit, the permittee shall either:

- a. Provide an alternative power source sufficient to operate facilities utilized by permittee to maintain compliance with the effluent limitations and conditions of this permit which provision shall be indicated in this permit by inclusion of a specific compliance date in each appropriate "Schedule of Compliance for Effluent Limitations", or
- b. Upon the reduction, loss, or failure of one or more of the primary sources of power to facilities utilized by the permittee to maintain compliance with the effluent limitations and conditions of this permit, the permittee shall halt, reduce or otherwise control production and/or all discharge in order to maintain compliance with the effluent limitations and conditions of this permit.

B. RESPONSIBILITIES

1. Right of Entry

The permittee shall allow the Executive Secretary of the Michigan Water Resources Commission, the Regional Administrator and/or their authorized representatives, upon the presentation of the credentials:

- a. To enter upon the permittee's premises where an effluent source is located or in which any records are required to be kept under the terms and conditions of this permit; and
- b. At reasonable times to have access to and copy any records required to be kept under the terms and conditions of this permit; to inspect any monitoring equipment or monitoring method required in this permit; and to sample any discharge of pollutants.

2. Transfer of Ownership or Control

In the event of any change in control or ownership of facilities from which the authorized discharge emanate, the permittee shall notify the succeeding owner or controller of the existence of this permit by letter, a copy of which shall be forwarded to the Michigan Water Resources Commission and the Regional Administrator.

3. Availability of Reports.

Except for data determined to be confidential under Section 308 of the Act and Rule 2128 of the Water Resources Commission Rules, Part 21, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the State Water Pollution Control Agency and the Regional Administrator. As required by the Act, effluent data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in Section 309 of the Act and Sections 7 and 10 of the Michigan Act.

4. Permit Modification

After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked in whole or in part during its term for cause including, but not limited to, the following:

- a. Violation of any terms or conditions of this permit;
- b. Obtaining this permit by misrepresentation or failure to disclose fully, all relevant facts; or
- c. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.

5. Toxic Pollutants

Notwithstanding Part II, B-4 above, if a toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the Act for a toxic pollutant which is present in the discharge and such standard or prohibition is more stringent than any limitation for such pollutant in this permit, this permit shall be revised or modified in accordance with the toxic effluent standard or prohibition and the permittee so notified.

6. Civil and Criminal Liability

Except as provided in permit conditions on "By-passing" (Part II, A-7) and "Power Failures" (Part II, A-9), nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance, whether or not such noncompliance is due to factors beyond his control, such as accidents, equipment breakdowns, or labor disputes.

7. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Act.

8. State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the Act.

9. Property Rights

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor infringement of Federal, State or local laws or regulations, nor does it obviate the necessity of obtaining such permits or approvals from other units of government as may be required by law.

10. Severability

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstances, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

It is further made a condition of this permit that the applicant give notice to public utilities in accordance with Act No. 53 of the Public Acts of 1974, being sections 460.701 to 460.718 of the Michigan Compiled Laws, and comply with each of the requirements of that Act.